

Miller & Rhoads

Women's Winter Coats at Big Reductions in Price.

Kerseys, Cheviots, Meltons, Grey Mixtures and Covert Cloths.

Mostly This Season's Garments in Three-Quarter and Full Lengths.

Empire style and Fitted-Back Coats, in Kerseys, Cheviot and Melton Cloths. Some with collars—others collarless.

Were \$15 and \$18.50 Each, Now \$10

Long Grey Coats, with velvet or cloth collars, were \$15 to \$22.50, now \$10, \$12.98, \$15 and \$18.50.

Covert Coats, three-quarter length, fitted backs, were \$15, now \$12.50.

Loose Covert Coats, with cape, were \$25, now \$10.

Short Covert Coats, were \$12.50, now \$7.50; were \$15, now \$12.50 and \$12.98; were \$25, now \$18.50.

While the sizes are broken in nearly every lot, yet there's a full line of sizes, taking the assortment as a whole.

Winter is likely to continue for some time yet—but bargains like these will not.

FAMOUS CASES IN U.S. CIRCUIT COURT

William E. Breeze, President of Charlotte Bank, Twice Convicted, Goes Free.

DISTRIBUTION OF CARS

An Opinion That is of the Greatest Importance to Large Shippers.

The United States Circuit Court of Appeals convened here yesterday at twelve o'clock to hold its February term, with Circuit Judge Pritchard and District Judges McDowell and Dayton in attendance.

Of the opinions announced, not the least important was that in the case of William E. Breeze, plaintiff in error, vs. The United States, defendant in error, from the United States Circuit Court at Charlotte, N. C. Mr. Breeze was president of the National Bank of Asheville, N. C., and was in November, 1897, indicted for alleged violations of section 226 of the Revised Statutes of the United States for misappropriation, misappropriation and for embezzling funds of the bank. He was tried by the lower court in November, 1898, and found guilty and sentenced to serve ten years in the penitentiary. He then appealed to the Circuit Court of Appeals, which court reversed the lower court and sent the case back for a new trial. On the next trial the jury failed to agree, and this happened again on the third trial. The last trial was commenced on July 12, 1904, and resulted in a verdict of guilty on certain counts in the indictment and a judgment that the defendant be imprisoned in the penitentiary for a term of seven years, from which judgment the prisoner sued out a writ of error from this court.

Lower Court Reversed.

The main ground of the plaintiff in error for a reversal of the lower court is based on their plea of abatement and motion to quash, filed in the lower court. The plea asserts that C. C. Puffer, one of the members of the grand jury that returned the indictment, was the owner of more than \$100 of personal property, and that he had not paid his taxes upon said property, which is required by the laws of North Carolina. In order to be qualified to serve as a grand juror, this court holds that the grand jury was not qualified to serve, and therefore the lower court was in error in not sustaining the plea in abatement and the motion to quash, and therefore the judgment of the court is reversed.

This opinion virtually ends the cases against Breeze, Dickerson and others for misappropriation and embezzling the funds of this bank, because it is now too late to have them reinstated by another grand jury.

Far-Reaching Opinion.

Perhaps one of the most important cases ever decided in this court was handed down in the court by Judge Pritchard. It was in the case of the Greenfield Coal and Coke Company vs. the Norfolk and Western Railway Company.

A petition was filed in the lower court for mandamus against the railroad under the act of Congress of March 2, 1883, alleging a violation of an act to regulate commerce. This petition alleged that the railway company is engaged in carrying coal and coke for the plaintiff company, and other coal companies in western Virginia to various markets of other States, and the company agreed to furnish cars to the several shippers of coal along its line, and that the same would be distributed pro rata, and that the number of coke ovens owned and operated by the several parties would form the basis of car distribution. The plaintiff then charges that the railway company had discriminated against it and did not carry out the fair and

equitable basis of distribution as agreed. Upon hearing the cause the lower court held that inasmuch as the parties interested in the distribution of cars had agreed upon a method of distribution according to an arbitrary basis it could not enforce such an agreement by mandamus under the act of March 2, 1883.

Lower Court Overruled.

Judge Pritchard holds as follows: "It matters not how petitioner's right to an equal distribution of cars may have arisen, whether by contract, statute or common law, the plaintiff in error avers that it has such legal right, and that the defendant in error is discriminating against complainant. The Interstate Commerce act clearly forbids the discrimination described in the bill and we are therefore, of the opinion, that the court has the power under the Interstate Commerce act, and the act of March 2, 1883, supplemental thereto, to prohibit such discrimination.

A careful consideration of the statutes bearing on this subject leads us to the conclusion that to adopt any other construction would be to render inoperative the Interstate Commerce act, in so far as it relates to discrimination, of no force and to defeat the obvious purpose for which it was enacted.

The judgment of the Circuit Court is therefore reversed, with instructions to proceed in accordance with the views herein expressed."

There will be other important opinions handed down during the session.

ARE OPPOSED TO ANNEXATION PLAN

(Continued from First Page.)

the territory on the Northwestern section, was that Richmond, with this territory on its boundary lines, could compete with other cities for manufacturing sites. Other cities exempted new firms from taxation, and while Richmond did not do this the rate of taxation in the county was low enough to induce new establishments.

Mr. Blair said he preferred the Mills plan but believed the present ordinance the only one that could be passed. Answering a question from Judge Nicol, he said he had always been against taking in the property of Major Dooley. This could only be taken in for taxes, and he thought it unjust to take Major Dooley's property in the lines of expansion. He was in favor of taking in Fulton Hill, for it was a place where mechanics employed in the shops could build nice, comfortable homes and have the benefit of city conveniences.

Wanted Narrow Lines.

Mr. John R. Grimes, member of the Council from Marshall Ward, said he voted for the Mills plan. At first he didn't favor any annexation, but afterwards favored the ordinance not taking in so much territory. As to the western side of the city he did not know much about the conditions, but he was not in favor of so wide an extension on the eastern side. Mr. Grimes said he had been living in the East End for years, and no improvements had been made in sixteen years.

"And," he continued, "if Colonel Cutshaw remains city engineer, there never will be any improvements there."

Little Street Improvement.

Councilman Grimes resumed the witness chair after dinner. In answer to Mr. Wendenburg, he said that very slight improvements had been placed on the cross streets north of Broad and east of Twenty-sixth Street within the past twenty years. With the exception of Broad Street, very little paving had been done on Church Hill. Twenty-ninth Street, he said, was almost impassable at this time. The revenues of the city were divided among the different departments, and the city couldn't afford to give more money for improvements in this section. Mr. Grimes is not a member of the Street or Finance Committees of the Council. His opinion was that the plan was in a bad condition. A skilled gas engineer could put the plant in good condition, he said, and the money for this could be appropriated year by year. In his opinion the establishment could not furnish gas to all the territory proposed to be annexed. He visited Baltimore and Philadelphia, and found those cities far ahead of Richmond in the matter of gas plants. Mr. Grimes testified that the police department in Richmond was insufficient in number. He thought there should be several more bluecoats in order to properly patrol the city's limits.

An amusing incident occurred while Mr. Grimes was on the stand, under cross examination. Mr. Meredith asked him a question and before he could finish his reply Mr. Pollard objected.

"The objection is sustained," said Judge Nicol.

"How can two attorneys, representing the same client do such a thing?" asked Mr. Braxton, who was on his feet in a second. "Here is one attorney who asks

a question and another who objects to the answer."

"The objection is sustained," again said the judge, and every attorney in the court-room was smiling.

Under Hot Cross-Fire.

Mr. Meredith put Councilman Grimes through a most severe cross-examination, and at one or two stages it looked as though there would be something exciting to happen. The witness was made to say, in answer to a direct fire of questions, that his information regarding the gas in Philadelphia and Baltimore came from officials of the gas companies.

"Isn't it a fact that you and Mr. Knowles, superintendent of the gas in Richmond, have been at 'outs' for some months?" asked Mr. Meredith.

"No, sir; I have always treated him courteously," answered the councilman.

"Always been friendly, eh?"

"I knew you were going to ask me that question."

"Then it must be so, then?"

"Why don't you ask me about yourself?"

"I can tell about that if you want it. I don't care what you think about me," answered Mr. Meredith, and Judge Nicol rapped for order.

Mr. Grimes admitted that there had been some street improvement in his portion of the city. He said he could not set his opinion regarding the quality of gas that could be manufactured and the amount consumed against that of Superintendent Knowles, who had made a study of the conditions. He could not tell what additional manufacture of gas would be necessary for the territory to be taken in.

Likes the Broader Lines.

Mr. William H. Zimmermann, former member of the City Council, in answer to a question by Mr. Wendenburg, said he owned property in Richmond valued at about \$125,000. He was in favor of expansion and wanted the Mills plan. Two for a limited plan of extension, to make Richmond have a population of 100,000," he continued. "I think now that the present lines are the best ones."

The answer came as a surprise to the attorneys for the county. Mr. Zimmermann was cross-examined at length. He finally said that he favored the broader

ment in Marshall Ward. "As a representative of the people, I don't want any expansion when this is in my ward," dramatically testified the witness.

He came from Baltimore which was densely populated and Richmond did not appeal to him as being in any congested condition. East Main Street was the only spot in the city that was densely inhabited, thought Alderman Mann.

Mr. Wendenburg asked Mr. Mann how the district to be taken in would be protected in the City Council, and the witness replied that there were several ways that ward representatives got their allowances for their constituents.

"It is log-rolling, isn't it?" asked Mr. Braxton.

"I object to the word 'log-rolling,'" said Mr. Pollard.

"The court will take judicial cognizance of the term," smilingly decided Judge Nicol.

"I submit that it depends to a large extent upon whether or not there is a good representative elected," put in Mr. Meredith.

Mr. Mann said there was no culvert from Marshall Street extending northward into the county, because no conference could be gotten with the county supervisors to build any sewer.

In leaving the witness stand, Mr. Mann pitched a small pamphlet to Judge Nicol, saying, "Here's something that the City Engineer wants for the next year."

The pamphlet was not put in evidence.

For the Mills Lines.

Alderman W. H. Adams followed Mr. Mann on the stand. He had voted for the Mills plan and would do so again.

"I think this ordinance (referring to the Mills ordinance) was sufficient for the city, and still think so," declared the witness. He did not know where he spoke. He saw no necessity of extending the city limits south of Ashland Street, because Ashland Street was a straight street, and with a view of preparing additional homes he thought this about the proper line to draw. He thought the city should grow gradually, as a business establishment would grow.

"A business house," he asked, "if it grows, does it not?" asked counsel for Richmond.

replied that having voted for the compromise ordinance, he could not ask that the line be changed in the least. "I could not come here and ask the court to vote on any other line after having voted in the Council as I did," replied Mr. Adams.

Mr. Robert Whittier, member of the Board of Aldermen from Clay Ward, said he voted for the Mills plan and was of the "sound opinion still." He thought the city should grow slow because it couldn't improve the annexed territory within any short time. He thought it was unwise to extend the city limits so far into Henrico county.

When court adjourned at 6 o'clock the county had only begun the evidence which it will present. The further hearing will be resumed this morning at 10 o'clock.

LETTER TO THE JUDGE.

Mrs. Schild, of Henrico, Sets Forth Her Objections.

Believing that it is unlawful and sinful to want that which your neighbor has, and cognizant of the fact that Richmond is very desirous of annexing her home, Mrs. Mary Schild, of Henrico, has written to Judge Nicol and asked him to follow the mandates of two of the Ten Commandments and declare the Anderson annexation act unconstitutional and tending to reduce her to pauperdom.

Her letter, according to the law governing such a case, has been admitted as a part of the record, and may be used by either side.

The letter is as follows:

Henrico County, Jan. 31, 1906.

To the Honorable Judge of Anderson Act of Annexation.

Your Honor—I take the liberty to write to you because, through annexation, I am in danger of losing my property. Your Honor, this annexation law is unconstitutional by the commandment of God. The Ninth and Tenth Commandments say you shall not want what your neighbor has got; neither his house nor his wife, nor his man servant, nor his maid servant, nor his ox, nor his ass, nor anything that belongs to him; you shall not want it. This is a Christian government;

OVERCOATS---

Those that were \$17.50, \$20.00 and \$22.50 are now on sale at

\$12.85

It's our way of Reducing stock.

Gans-Rady Company

MAKE PLEA FOR OLD BELL TOWER

Central Committee of A. P. V. A. Memorialize Legislature Not to Tear It Down

THE MEMORIAL AT JAMESTOWN

Government to Send Representative to See About Site—Tablet to John Smith.

The central committee of the Association for the Preservation of Virginia Antiquities met yesterday at noon in the rooms of the Virginia Historical Society, with Mrs. J. Taylor Elyson in the chair. There were present Mrs. Elyson, Mrs. Robbins, Mrs. J. B. Lightfoot, Mrs. Ender Robinson, Mrs. E. V. Valentine, Mrs. Wellford, Mrs. G. R. Cannon, Mrs. E. S. Murray, Mrs. Norton Savage, Mrs. E. D. Taylor, Mrs. James Caskey, Mrs. C. W. P. Brock, Mrs. Henry Taylor, Mrs. Deatur Axtell, Mrs. Albert Bruce, Mrs. R. S. Watkins, Mrs. C. B. Ball, Mrs. William Stanard, Mrs. Thomas Bolling, Mrs. William Ruffin Cox and Miss Jones. Reports were received from committees. Work progressing well at Jamestown. Lieutenant-Governor Elyson and Hon. John Lamb visited the Secretary of War, and in behalf of the Association for the Preservation of Virginia Antiquities offered a site at Jamestown for the \$50,000 memorial monument to be erected by the national government. They report that an army officer will be appointed to visit Jamestown with the committee and select a site for this monument.

Tablet to John Smith.

In behalf of the Washington branch of the Association for the Preservation of Virginia Antiquities, Mrs. Cox asked for that society permission to place a tablet in memory of Captain John Smith in the church to be erected at Jamestown by the Society of Colonial Dames. Permission was granted.

At the request of Mrs. G. R. Cannon, Mrs. Samuel Yonge was appointed chairman of the Association's War Committee, and work upon the well will be pressed.

Save the Bell Tower.

Mrs. Joseph Bryan presented the following:

"Resolved, That the Association for the Preservation of Virginia Antiquities, one of whose most important aims is to preserve from destruction buildings of historic interest, having learned that in the proposed improvements on the Capitol Square the suggestion has been made that the building known as the Bell Tower be destroyed, most earnestly requests that this historic building be not removed.

"Resolved, 2. That this association asks the privilege of placing on the building a tablet, on which shall be inscribed the historic uses of the building, and that the association be further allowed the privilege of placing it to grow upon the building, thus making it more sightly and attractive.

"Resolved, 3. That it is the sense of this association that the iron fence around the Capitol Square should not be removed.

"Resolved, 4. That this association further begs that the gates which formerly belonged to the Capitol Square shall be replaced."

These resolutions were passed, and the following committee was appointed to ask their consideration by the Legislature: Mrs. Joseph Bryan, chairman; Mrs. William G. Stanard, Mrs. W. T. Robbins, Mrs. Charles E. Ball, Mrs. E. V. Valentine, Mrs. Deatur Axtell, Mrs. J. Taylor Elyson, Mrs. William Ruffin Cox.

To Have Mass Meeting.

It was further resolved that all patriotic societies, Colonial, Revolutionary and Confederate, shall be invited to unite in a mass meeting, under the auspices of the Virginia Historical Society, so soon as a suitable hall can be secured for the purpose, and that popular speakers will address this meeting to this end. Carried.

The 13th of May, the day of the annual pilgrimage to Jamestown, coming this year on Sunday, Mrs. Cox moved that Monday, the 7th of May, be appointed as the day for that excursion, in order that Colonial Dames then to be in session in Washington may be present on that occasion. This was adopted.

Made a Count By Telephone.

One of Herr von Bulow's principal achievements as State Secretary for Foreign Affairs was the counting of the number of soldiers regarding the groups of the Carolina, Pelew, and Marianne Islands, which gave great satisfaction to the Emperor and resulted in the promotion of the Secretary to the rank of count.

The promotion took place in a typical modern war. The news of the termination of the South Sea trouble was telephoned from the Emperor's study to the German household at the palace in Potsdam, some sixteen miles away. Five minutes later the same officer said, "I am ordered to inform you that the Emperor has promoted you to the rank of count and the title of count of the German Empire"—W. G. Fitzgerald, in "The World's Work."

Alcohol Motors.

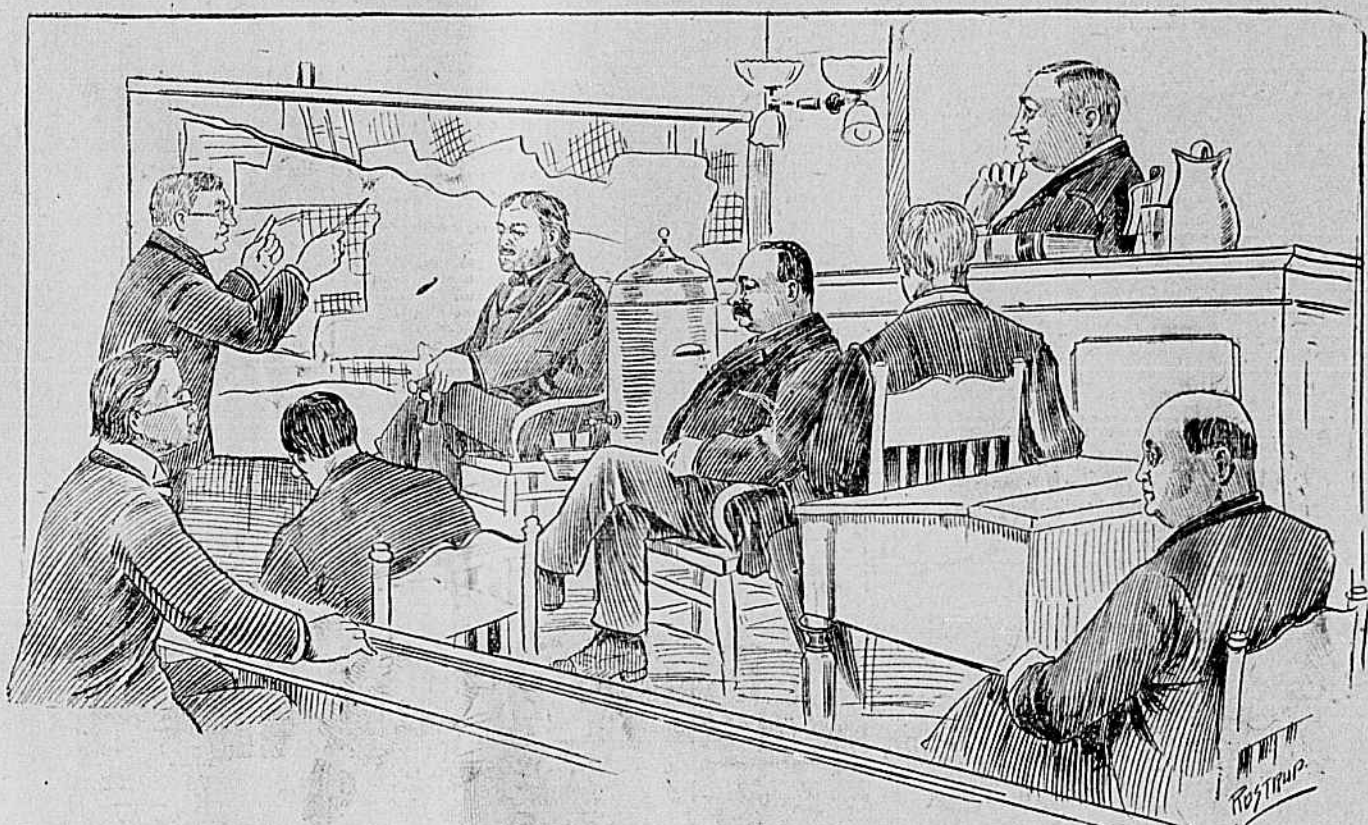
Alcohol is increasing in popularity as a motive power in Europe, particularly in Germany, where it is being widely used on the farm, says February Country Life in America. It is convenient, safe and clean. It is reported that raw alcohol can be produced in Germany from potatoes for thirteen cents a gallon by processes so simple that the farmer can do it himself. Alcohol motors have been perfected and machinery for distilling, improved, and the German government has encouraged the industry by reviving the prohibition alcohol as a fuel for technical purposes.

"The Golden Dustman."

It is one of the great dusts that may buy—acknowledge it we must. You're sure to fill the public eye if you've got the dust.

Now and then an ostrich feather leads a very ticklish career.

SCENE IN THE ANNEXATION HEARING IN HENRICO.



lines now because he had voted for this in the Council, but that previous to that time he was favorable to the Mills plan. "I believe in the financial stability of Richmond. The city is in a better condition now than she ever was before," he declared.

Opposed to Annexation.

Mr. John Mann, brick manufacturer, whose plant is outside of the city in Fulton, favored the Mills ordinance at first, but he didn't want any annexation. He is a member of the Board of Aldermen from Marshall Ward. "I was opposed to any annexation, but didn't want to stand alone," said the witness.

"Do you mean to say you think one way and vote another?" asked Judge Nicol.

"Yes, sir; I didn't want to be contrary," answered the Alderman.

He was against annexation because in some suburbs of the city there were no improvements now. His special grievance was that there has been little improve-

"Yes, sir," answered Mr. Adams. "A city grows for reasons of health and profit, does it not?" again queried the city's attorneys.

"Isn't it a question of health to extend the limits?"

"Taking health and profit combined, I should say, yes," answered the Alderman.

The witness taught manufacturing sites should be in the county and not in the city.

"As a member of the City Council, having voted for this present line, do you think you can ask the court to draw any other line?" asked Mr. Meredith.

Mr. Braxton objected to the question, arguing that it was an improper one to place the witness in an embarrassing position.

"I think on cross-examination the question is a proper one. It is to test his sincerity and credulity," ruled Judge Nicol.

Judge Nicol then, after much argument, by counsel on both sides, asked the witness the questions and Mr. Adams

it obeys eight commandments, but the ninth and tenth they made laws against the commandments of God, sins against the Holy Ghost, and is not forgiven, except they give back to the parties the amount that has been taken from them.

Your Honor, it is not possible for the honorable judge to give the property back to the county after you give it away to the city. The annexation law says that the county gets judge appointed from his Excellency, the Governor, to decide the annexation. Your Honor, you have it in your power to pronounce the law unconstitutional. You also have the power to give the county to the city. That would bring pauperdom to many of the county people. The city loads the sin on the honorable judge of annexation. If your Honor gives the county to them, your Honor pleases save my property from being annexed to the city. It would make me face to pauperdom if I am annexed; the righteous, just God has forbidden to become a pauper. I am a resident of the county.

Respectfully,

MRS. MARTIN SCHILD.

The Gunboat Quorum

In the World's Work for February, Mr. Lyle tells the story of American enterprise in Hayti. Nord Alexis, the aged president, said to the Americans: "We don't mind giving you the concession, but we are afraid this will mean giving you our island, too." Nord is a dignified old African; and, despite his age, anywhere from eighty-eight to a hundred, he is often too alert to be hoodwinked by the tricky blacks around him. The Americans proposed what was good for his country. They talked "good business," and they maintain, there was no hint of a "deal." But in addition, it was a thing of the greatest importance for American interests generally and it may be assumed that our own administration at Washington was not unminimally of the success of the venture.

At last the terms were agreed upon. The bill granting the concession was drawn up, signed by Nord, and sent to the Italian congress for ratification. Tedious speeches followed. The Germans were stirred with the activity of desperation. The lawmakers delayed as long as they could. The best knew why they did not want to pass the bill, but neither did they feel quite safe in defying the president by rejecting it. Then they had an inspiration. Enough of them went home to break the quorum. But just here appeared the beauty of dictatorship. Nord promptly sent his gunboat after the truants, and courteously requested every senator to come back to the capital. A file of soldiers bore the invitation. On the return of the gunboat, legislation proceeded. August 10th, last, the concession was duly granted.

Senator Lodge and the Sacred Cod

In answering his "Special Interests" killed the pure food bill Henry R. Neesham, named in the World's Work some interesting sensational history. Senator Lodge's attitude toward the measure here will cast a vote against a measure which provides that articles of property offered for sale shall be properly branded? Who is injured by compelling the dealer in the commodities of life to tell the truth about them, to mark them for what they are?

This cry in the wilderness was too much for

W. L. DOUGLAS \$3.50 SHOES FOR MEN

ESTABLISHED 1876 CAPITAL \$2,500,000

W. L. Douglas makes and sells more men's \$3.50 shoes than any other man shoemaker in the world.

\$10,000 REWARD will be paid to any one who can disprove this statement.

\$3.50 ALL LEATHERS, ALL STYLES, ONE PRICE \$3.50

If I could take you into my three large factories at Brockton, Mass., and show you the infinite care with which every pair of shoes is made, you would realize why W. L. Douglas \$3.50 shoes cost more to make, why they hold their shape, fit better, wear longer, and are of greater intrinsic value than any other \$3.50 shoe on the market to-day.

AS GOOD AS HIGHER PRICED SHOES. "I have been wearing W. L. Douglas \$3.50 shoes for the past 15 years or more, and have found them entirely satisfactory. They wear as well as shoes that cost more." R. B. GREEN.

A full line in all leathers of \$2.50 shoes for those who do not care to pay \$3.50 for their footwear. Ask to see them.

BOYS SHOES, \$2.00 AND \$1.75. Just the same as men's \$3.50 shoes, the same leathers, for \$2.00 and \$1.75.

CAUTION.—None genuine without W. L. Douglas name and price stamped on bottom. Take no substitute. Sold in W. L. Douglas exclusive shoe stores in the principal cities, and by the best shoe dealers everywhere.

Fast Color Eyelets used exclusively. Catalogue mailed free. W. L. Douglas, Brockton, Mass.

W. L. DOUGLAS RICHMOND STORE: 623 E. Broad St. W. N. WATKINS, Mgr.

Postum FOOD COFFEE

is recommended by the best physicians because it builds back from coffee ails.

"There's a Reason."